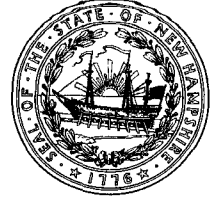




The State of New Hampshire
Department of Environmental Services



Michael P. Nolin
Commissioner

**LETTER OF DEFICIENCY
WET 06-058**

June 14, 2006

Matthew Lankhorst
30 Manor Road
Concord, NH 03301

RE: DES Wetlands File #2006-01332 95 North Water St, Boscawen

Dear Mr. Lankhorst:

On June 8, 2006, personnel from the Department of Environmental Services ("DES") conducted an inspection of the above referenced property, more specifically referenced on Town of Boscawen Tax Map 94 as Lot 5-1 (the "Property"). The purpose of the inspection was to determine compliance with RSA 482-A and NH Code of Admin. Rules Wt 100-800.

During the inspection the following deficiencies were documented:

1. Approximately 3000 square feet of sediment had been deposited in a wetland.
2. A driveway had recently been constructed and proper erosion controls had not been installed, resulting in erosion and sediment deposition in the wetland.
3. A foundation drain extends into the wetland.

In response, you are requested to take the following actions:

1. By July 30, 2006, using hand tools only, remove the sediment from the wetland. Machinery may not be operated in the wetland. The sediment should also be removed in areas adjacent to the wetland where there is the potential for the sediment to erode into the wetland.
2. Immediately install and maintain adequate erosion controls until the driveway and building site has been permanently stabilized.
3. Outlet the foundation drain outside of the jurisdiction wetland.
4. By August 4, 2006, submit photo documentation to DES Wetlands Bureau to show the sediment has been removed from the wetland and erosion controls have been installed and maintained.

RSA 482-A, the New Hampshire Wetlands law, was enacted to protect and preserve wetlands and surface waters from unregulated despoliation. Prior to dredging, filling, or construction in and adjacent to wetlands or surface waters, an individual is required to obtain a permit. If work is done without a permit, this is considered a violation of RSA 482-A. Failure to respond to this Letter of Deficiency in a timely and complete manner may be construed as noncompliance by the receiving party.

DES personnel may conduct another inspection at a later date to determine whether you have come into and are maintaining full compliance with the applicable statute and rules.

Issuance of this letter shall not preclude further enforcement by DES. Failure to comply with RSA 482-A will result in enforcement by DES, including but not limited to the issuance of fines, administrative orders, or referral to the New Hampshire Office of the Attorney General for prosecution of civil or criminal penalties. If an order is issued to you, it may also be recorded with the Registry of Deeds as an encumbrance against your property.

All documents submitted in response to this Letter of Deficiency should be addressed as follows:

Dawn Buker, Compliance Specialist
Wetlands Bureau
Department of Environmental Services
29 Hazen Drive
PO Box 95
Concord, NH 03302-0095

Should you have any questions regarding this letter, or wish to arrange a meeting, please contact Dawn Buker at (603) 271-4066.

Sincerely,

A handwritten signature in dark ink, appearing to read "Collis G. Adams", is written over a large, stylized "COPY" stamp.

Collis G. Adams, CWS
Administrator
Wetlands Bureau

CERTIFIED MAIL 7000 1670 0000 0585 5130

cc: Rene Pelletier, Asst. Director, Water Division
Gretchen R. Hamel, Administrator, DES Legal Unit
Boscawen Conservation Commission
Boscawen Board of Selectmen
USACOE
William MacDuffie